IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 2872 OF 2007

Nikhil Madhukar Jadhav. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

V.V.Purwant for the applicant.

S.S.Pednekar, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 14th September 2007.

P.C.:

. Heard learned counsel for the applicants and learned A.P.P. for the State.

2. This application is under section 438 of Code of Criminal Procedure, 1973. The applicant is apprehending his arrest in CR.No.295/2007 registered with Satara City Police Station, Satara for the alleged offences punishable under sections 380, 454, 457 of Indian Penal Code.

3. The learned counsel for the applicant submits that F.I.R. itself was lodged after expiry of a period of four months. He further submits that he has

only one DVD player with him which he is ready to hand over to the investigating officer. He further submits that considering the nature of allegations made and delay in filing F.I.R., no custodial interrogation of the applicant is necessary. The learned A.P.P., though, tried to oppose this application, however, could not take his submission to the logical end.

4. In the above view of the matter, I am inclined to grant pre-arrest bail to the applicant, subject to the following conditions:

(a) In the event of arrest of the applicant in connection with C.R.No.295/2007 registered with Satara City Police Station he shall be released on bail of Rs.10,000/- with one surety to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 p.m. to 5.00 p.m.

(c) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution

evidence.

(d) This order of anticipatory bail shall operate till the filing of the chargesheet. After filing of chargesheet, it would be open for the applicant to apply for regular bail before regular court.

(e) It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

5. Application stands disposed of accordingly.

JUDGE